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DATE: December 7, 2004

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FROM: Randall K. McCarthy, Registration No. 39,297

TO: Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

ADDRESSEE/ORGANIZATION	FAX NO.	TELEPHONE NO.
Group Art Unit 3643	(703) 872-9306	(866) 217-9197

RE: Application No. 10/664,259
In re application of: Thomas L. Byers
Dkt. No.: OKC00085

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DEC 07 2004

PATENT
Dkt. OKC00085

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Thomas L. Byers**
Application No.: **10/664,259** Group No.: **3643**
Filed: **September 17, 2003** Examiner: **A. Valenti**
For: **MODULAR ANIMAL ENCLOSURE**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is a small entity. A statement was already filed.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for one month:

Fee: \$55.00

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a)

I hereby certify that, on the date shown below, this correspondence is being:

TRANSMISSION

☒ facsimile transmitted to the Patent and Trademark Office, (703) 872-5206.

Signature



Diana C. Anderson

(type or print name of person certifying)

Date: December 7, 2004

#290125

Amendment Transmittal—page 1 of 2

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		
TOTAL	22	- 25	= 0	x \$ 9.00	= \$ 0.00		
INDEP.	4	- 4	= 0	x \$ 44.00	= \$ 0.00		
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				+ \$ 0.00	= \$ 0.00		
				TOTAL ADDIT. FEE	\$ 0.00		

No additional fee for claims is required.

FEE PAYMENT

5. Authorization is hereby made to charge the amount of \$55.00 to Deposit Account No. 06-0540. Charge any additional fees required by this paper or credit any overpayment in the manner authorized above. A duplicate of this paper is attached.

FEE DEFICIENCY

6. If an additional extension and/or fee is required, charge Account No. 06-0540.
If an additional fee for claims is required, charge Account No. 06-0540.

OTHER

7. Other Enclosures:
Applicant Initiated Interview Request Form

Date: 12/7/04

Respectfully submitted,

Randall K. McCarthy

Randall K. McCarthy, Registration No. 39,297
Fellers, Snider, Blankenship, Bailey & Tippens, P.C.
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100 North Broadway, Suite 1700
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Applicant Initiated Interview Request Form

Application No.: 10 664,259 First Named Applicant: Thomas L. Byers
 Examiner: A. Valenti Art Unit: 3643 Status of Application: Pending

Tentative Participants:

(1) Randall K. McCarthy (2) Examiner Valenti
 (3) _____ (4) _____

Proposed Date of Interview: 01/11/05 Proposed Time: 10:30 EST (AM/PM)
 (9:30 CST)

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) Rej. _____	<u>1,5,6 & 18</u>	<u>Prior Art Greene '995</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) Rej. _____	<u>22 & 23</u>	<u>Bradburn '39 & Cunliffe '524</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) Rej. _____	<u>19 & 25</u>	<u>Greene '995 & Cunliffe '524</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) Rej. _____	<u>16,17,20 & 25</u>	<u>Greene '995 & Crider '483</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☒ Continuation Sheet Attached

Brief Description of Arguments to be Presented:

Patentability of claims over Greene and other references; discussion of Cunliffe with regard to
"dual direction hinging" of top

An interview was conducted on the above-identified application on _____

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Randall K. McCarthy
 Applicant/Applicant's Representative Signature

 Examiner/SPE Signature

Randall K. McCarthy
 Typed/Printed Name of Applicant or Representative

39,297
 Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS

Addendum

Issues To Be Discussed – Continued

Issues, Claims/Fig. #s, Prior Art

Rej., 1,2,5,6,9,11-13 & 15, Bradburn '239 & Duddleston '436

Rej., 3 & 4, Bradburn '239, Duddleston '436 & Ortiz '341

Rej., 7 & 8, Bradburn '239, Wales '139 & Duddleston '436

Rej., 16 & 17, Bradburn '239, Duddleston '436 & Crider '483